

ATTACHMENT 1

COMPLAINT FORM

(for filers who are prisoners without lawyers)

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

(Full name of plaintiff(s))

Joshua P. Brathwaite

vs

Case Number:

(Full name of defendant(s))

(to be supplied by clerk of court)

C/O Hong & John Doe Officers,
Yt Bonserk, Sgt Chentrik, Yt Marczewski
C/O Thierien, Mr Olson, C/O Steingraeber, Lt Lung, Capt
Zenk, C/O Chang, C/O Meins, Mr. Blount, Mr Fuchs
WHS Kessner, Dr. Henry, Dr. Holly, Dr. Schween, Dr. Yate, RA, Nurse John
1. Plaintiff is a citizen of Wisconsin, and is located at
Columbia Corrections Inst PO Box 900
Port Hope, NC 53901
(State)
(Address of prison or jail)

(If more than one plaintiff is filing, use another piece of paper).

2. Defendant

PLEASE Refer to Front Attachment 1, on the Front page

(Name)

is (if a person or private corporation) a citizen of

WISCONSIN

(State, if known)

and (if a person) resides at

(Address, if known)

and (if the defendant harmed you while doing the defendant's job)

worked for

CCC PRISON / DEPARTMENT OF CORRECTIONS
2025 COLUMBIA DRIVE, PORT HURON, MI 48130-450

(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

Each defendant was Acting under color of
Federal and State Law, defendants are being sued in there individual
and official CAPACITY. Federal violation relating to
Equal Protection Clause, where I was a Administrative confinement
AC inmate with all my allowable personal property consisted
with a phase 3 inmate, with no segregation time / disciplinary separation
or didn't have a conduct report pending / even with conduct report
pending waiting due process hearing inmates still remain in current status
until due process committee finds you guilty of conduct report changing
your current status to a disciplinary separation inmate serving segregation
time, then allowable personal property are then removed
from your room. AS A Phase 3 Administrative confinement inmate and before I left my sentencing institution

WISCONSIN SECURE PROGRAM FROM MY AUGUST 1 2003 IN MY POSSESSION / ALLOWABLE
PERSONAL PROPERTY / OTHER PRIVILEGE IN MY ROOM WAS MY TV AND TABLET PENS
MY ACTUAL TOOTH PASTE, SOAP AND DEODORANTS THAT WAS PURCHASE FROM Canteen
OUTSIDE VENDOR UNION SUPPLY HYGIENE CARE PACKAGE YOUR FAMILY CAN ORDER
IN YOUR ADMINISTRATIVE CONFIDENTIAL STATUS THAT NOT ALLOWED IN SEGREGATION
DISCIPLINARY SEPARATION STATUS ALSO PERSONAL SHOES ONLY WITH VELCRO STRAPS
ON THEM ONE PERSONAL CUP WITH NO HANDLE ON IT ONE PAIR OF SHOWER SHOES
ONE PAIR OF EMBLERS FOR YOUR ELECTRONICS, 25 PUBLICATIONS CONSISTING OF
BOOKS AND MAGAZINES, 50 PERSONAL PHOTOGRAPHS OF FAMILY AND FRIENDS
ABLE IN CELL KEEP ON PERSON MEDICATION SUCH AS OVER THE COUNTER MEDICATION
PLUS YOUR 600 PHONE CALLS A MONTH, AND FIRST SERVE YOUNG LIBRARY / HALL
RECREATION TIME AND HARBOR BEFORE INMATES SERVING SEGREGATION / DISCIPLINARY
SEPARATION TIME IN A POSITIVE STATUS, ONE IN CELL BOWL FOR Canteen WEARING
SPONSOR Canteen OF 6.5 DOLLARS, AND A MEDICAL RESTRICTION FOR LARGE CURE
NEW THERAPY RESTRICTION WHICH WAS ORDER BY DOCTOR / ADVANCE CARE PRISON
AND SECURITY DIRECTOR JACOB CURTIS, WHICH WAS PUT IN PLACE DUE TO MY CARPAL
TUNNEL AND BEING A BIG GUY WITH HUGE WRIST AND CAUSE THE NORMAL
STATE ISSUE HAND CURR CAUSE A LOT OF DISCOMFORT AND PAIN IN MY WRIST
ALSO LEAVING CUTS IN PAIN DEEP IN MY WRIST AND CUTTING OF BLOOD FLOW IN
MY WRIST AND HANDS MEDICAL RESTRICTION BEING EFFECTIVE SINCE MY TESTS
WAS DONE BY A NEUROSCIENCE DOCTOR IN A CRUISE
EDUCATION CITY 3727 DENISON STREET LA CROSSE, WI, 54601 # 608-782
7300 DELIVERED TO OFFICE TO MEDICAL CARE / STATE LAW RESISTANCE
FOR MY TRANSFER TO COLUMBIA CORRECTIONS INST ON AUGUST 1 2003 OFFICE
HONG AND 2 JOHN DOE OFFICERS AND SEEN ME CAME TO INTAKE WITH MY GUNGE
CUT MEDICAL RESTRICTION AND MY ALLOWABLE VELCRO SHOES / MEDICAL SHOES ON
MY FEET, JOHN DOE AND 2 JOHN DOE CLASS REFUSE TO ALLOW ME TO CONTINUE
MY MEDICAL RESTRICTION WITHOUT EVEN COMMUNICATING WITH DOCTOR /
SECURITY DIRECTOR ABOUT DISCONTINUING MY GUNGE HAND CURR RESTRICTION
I TOLD ALL 3 STAFF ABOUT MY CARPAL TUNNEL AND MY HUGE WRIST AND HOW
MUCH DISCOMFORT AND PAIN THESE NORMAL STATE ISSUE HAND CURR
CAUSE AND HOW IT WAS CUTTING BLOOD FLOW IN MY WRIST AND HANDS
STAFF STILL DISREGARDED MY RESTRICTION / UNWANTED PAIN, NOT ONLY THAT
I WAS TOLD THEY WILL ALSO BE CONNECTING A METAL BOX IN THE MIDDLE OF
THE TO YIELD MORE MOVEMENT / CAUSING MORE DISCOMFORT AND PAIN TO
ME, NOT ONLY THAT THE TRANSPORTING WHILE BUS I AM BEING TRANSPORTED
IN WAS MADE FOR INMATES WITH DISRUPTIVE / OUT OF CONTROL BEHAVIOR
NOW WAS I DOING ANY NEGATIVE ACTIONS, IN THAT WHAT BUT THERE WAS
THE TWO FRONT SEATS FOR THE OFFICIAL OFFICERS AND IN THE BACK THERE WAS
IN PLACE AND REMOVED SEATS THAT OCCUPIED STAFF AND THE INMATES, SINCE
CCT PRISON STAFF CAME WITH ONE INMATE WHO WAS BEING DISRUPTIVE
OUT OF CONTROL BEHAVIOR AND THAT CCT STAFF / CLASS REMOVED / YERDED
ALL REMAINING SEAT AT THE RECEIVING PRISON I HAD NO OTHER CHOICE
BUT TO RIDE SEATED IN THE BACK OF THE BUS WITH MEDICAL
DIAGNOSTIC BACK PAIN FOR A HOUR THEN IN COLUMBIA WITH NO DOCUMENTATION

start refuse to loose up the tight straps ~~pinning~~ pinning my back
tight to the strap down chair/with something poking in my pain
area causing discomfort/ PAIN in my back area, on arrival to the
institution finally when felt like a ~~moment~~ eternity, class then remove
me out the bus still placed in the strap down chair, I now see
where the missing seats were up against the inside garage wall,
I told the 3 CDS who transported me from WSPR to CCI that my
back had can I manage removed from strap down chair, while
shut barsake heard me say it to the CDS staff, in there saying
as we took time to drag me in the strap down chair all the way
to DSI and when was kinda far away, had to go up to couple
hundred feet and a couple metal doors when I got there I still
was not removed right away, when I was feeling out I over
boarded staff to I damn near fell back in the strap down
chair, After being search over/ change out of my Administrative
and confinement clothes I was changed over to be segregation/
disciplinary separation in the punitive clothes I told and Monox.
Mr Olson, Sgt barsake one CDS Haug and 2 others John due short
change clothes, Sgt L.P. nurse John due that I AM A Adminstrative
and confinement inmate who is on Phase 3 and that at my last
Prison I had my ELECTRONICS ALL MY ACCOUNTS PROPERLY ON LINE
A segregation/ disciplinary separation inmate serving punishment time for
as I have a criminal record Pending, All staff disrespec-
that refused to let me out of the strap down chair, I was told that
capt restmation, I was told that I was not to be taken out of the

the Humanizer who is only a nurse and not a doctor / Advance care
Provider I told nurse ~~Steve~~ John the nurse that's impossible I never
even seen a doctor about my removal of my medical gorge cuff
restriction, He basically told me I'll move on I don't have a life, I
did told him about my status as a AC inmate and having medical
shoes also I was then told you can't have that no more either.
I was then giving the incorrect ~~size~~ size slips that segregation
inmates get, which was a size 5 or 6 when I wear size 12.
I was then lead into a booth to meet with the unit manager Mr
Olson, who refuse to listen/hear me out about I am not a segregation
inmate, I told him I am a AC inmate with all my allowable
privilege and I'm not serving any segregation time nor did I
had a conduct report pending, all of administrative conference
inmates are housed on unit 7 with all their allowable / consistent
property as mentioned early in complaint, also all policy at WSP
Prison is the same as CCI Prison just different prison names.
I was completely honest with the unit manager Mr Olson that
the only conduct reports that take up over 50 conduct reports out
of 62 conduct report was sexual misconduct, which as a time
convicted sex offender classified for sex offender treatment #4
which is a very intensive sex offender treatment, but was told that
since I got a life sentence in prison I am not eligible for it
and other ~~words~~ words just cause I can't get out and get away with
the crime like other early release inmates can it's not needed.
~~when I was in the unit~~
I then was placed on segregation range with no AC inmates a ~~upper~~
lower / DSI range which was control by 2 regular female staff
C/O Heather H. H. H. H. H. C/O Brook Steingraber who
was giving me little signal and eye watches trying to get me
to masturbate / show them my penis so they can write me a conduct
report on lower A / DSI all the inmates who ~~were~~ very open
about masturbating to the two females, and other females.
Females was just standing there watching them stroke their penis
also inmates were reaching out the trap grabbing female staff
butt one breast, inmate cross from me Jordan William has over
so he shy 75 to 100 sexual misconduct reports for showing his
penis / masturbating to female staff even was encouraging
me every day to do ~~the same~~ the same, on a lower 04 / DSI
unit I was not able to get my electronics by some
products I give a finger ~~thumb~~ thumb to the staff
only one ~~finger~~ finger, which I couldn't
even get that, not even a hair cut device cut

5

~~Form~~ FORM SUPPLIES OF COMMUNICATION
to Anybody in my continue to complain
to staff about my ~~exact~~ protection
cruel and unjustly unsual mistreatment
to Sgt Chentain, Lt Marczewski CIO
thief Mr Olson CIO Stengreber Lt lung
Cpl Zink Lt Bonzac, ~~Mr Olson~~ CIO Elang
CIO Joshua Heins Mr Blount Warden
~~base~~ Mr Fuchs, Warden Secretary,
MS Lowry, MS Hull, ~~witherson~~ MS
Witherson, Dr Schwab, Dr Yarbrough
Nurse Kresser all disregarded
Everything I SAID refuse to help
All giving this direction / MUI formula
even violating my due process by
~~targeting~~ targeting me by writing
me 5 sexual misconduct conduct
report, refusing to move me on unit
7 where all the other Administrative
Confinement inmates are ~~being~~ housed
at, not lower A range / DS, there
is no AC inmate on DS / unit. My
grandma passed away in the
midst of all this I still going
through the mistreatment also being
denied my AC privileges from the above
staff. Also CIO Cpl Pitt and CIO Kuriell

(6)

And now two other John doe white shirts and two C/Os who is refusing to give me their names still being denied my large ever restin and not have seen any doctor about it.

I ASK the Just to let me proceed with a civil protection clause deprivation of allowable personal property plus state law claim 8th Amendment Medical care / state law medical care due process for the conduct reports and civil and ~~and~~ ~~un~~ ~~sect~~ punishment. And any other claims / defendants judge see fit to connect each ~~state~~ Federal and state violation by All Above defendants state remedies are exhaustive against each defendant

little more background history

I AM A serious mentally ill inmate who has been confined in the Department of corrections since 2014. I have been transfer / move around for numerous of reasons from Dodge correctional inst, Waupun correctional inst, Green bay correctional inst, Wisconsin

⑦

~~Secure~~ SECURE Program Facility and
now COLUMBIA Correctional Inst

~~From~~ and last in order pretrial's prison
I was at WISCONSIN SECURE Program
Facility I was housed / confined
there since November 2017 to August
2023 before ~~being~~ my departure
transfer to COLUMBIA Correctional
Inst. from WSPF I WAS segregated
in Segregation ALPHA Unit, Administrative
Confinement Phase Cell 100, Administrative
Confinement ~~status~~ status is something
like general Population status but
housed in segregation with privileges
properly consistent with that status
As general Population get all there
Personal Property and is ~~free~~ Free
of any movement with no ~~restraints~~
restraints out of cell

As Administrative Confinement ~~inmates~~
inmates are housed in segregation with
all your Personal Property consistent
with your Phase level, which is Phase
1 thru Phase 4, All inmates who are
in the category of being placed on
Administrative Confinement (AC) →

(9)
All must first serve out their segregation/
disciplinary separation time. During
that time you are put on AC tracking.
Pending Administrative Confinement
review committee hearing to
determine if AC placement is
warranted for that inmate/individual.
Use AC tracking is put in place for
something you did to get to segregation
or something that happens while
during your placement in segregation
to determine your placement in
Administrative Confinement (AC) status.
The reviewing committee must do a
standard review of the dangerousness
of your present which states the standard
used to determine dangerousness is
if there is evidence a substantial
probability of physical harm to others
as manifested by (A) behavior
or history of homicidal, assaultive
or other ~~violent~~ violent behavior
or by attempt or threat to cause that
harm (B) your presence in general population
pose a substantial risk to another
person, self, or institution security
or (C) your activities give a staff

⑦

Member reason that your continued presence in general population will result in a riot or disturbance or (D) you have been identified as affiliated with an inmate gang or street gang and there is reason to believe that your continued presence in the general population will result in a riot or disturbance as of FBI in Administrative Rule Section Doc 303.02 (D), Doc 303.18 or Doc 306.02 (1). I WAS PLACED ON ADMINISTRATIVE CONFINEMENT ON APRIL 18 2003. This complaint is true and correct and Plaintiff is willing to testify in open court about this matter.

Sincerely Sash Brathwaite LWA00
CCI
P.O. Box 1000
Barnstable, MA 02531

Sent 8-3-2023

PLEASE E-FILE

C. JURISDICTION

☒ I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR

☐ I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$_____.

D. RELIEF WANTED

Describe what you want the court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or stop doing something.

nominal, punitive, compensatory
damages, plus state law claim

FOR EACH INDIVIDUAL DEFENDANT

nominal ^{each} 2,500 EACH CLAIM/VIOLETION

PUNITIVE DAMAGE 5,000 EACH CLAIM/VIOLETION

COMPENSATORY DAMAGE 7,500 EACH CLAIM/VIOLETION

VIOLATION, JOINTLY CLAIM INDIVIDUAL

W/ 25,000, STOPPING ANY STATE GOING

OUTSIDE OF ~~THE~~ THE SCOPE

OF EMPLOYMENT AND FOLLOW ALL DEPARTMENT/

AGENCY RULES/ POLICY AND PROCEDURE

PLEASE ALLOW RIGHT TO A ANSWERED COMPLAINT

AND A SUPPLEMENTAL COMPLAINT W/

E. JURY DEMAND

☒ Jury Demand - I want a jury to hear my case
OR

☐ Court Trial - I want a judge to hear my case

Dated this 3 day of September 2023

Respectfully Submitted,

Breithwaite Jacob

Signature of Plaintiff

47560

Plaintiff's Prisoner ID Number

Columbia Correctional Inst
P.O. Box 900, Portland, ME 04104
(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper).

REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE
FILING FEE

☒ I DO request that I be allowed to file this complaint without paying the filing fee. I have completed a request to proceed in the district court without prepaying the fee and attached it to the complaint.

☐ I DO NOT request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.